

## **REMARKS**

Claims 1-27 are pending. The examiner asserts the application contains claims directed to more than one species and that the claims are deemed to correspond to the species listed below.

An electrochemical cell comprising a nonaqueous electrolyte comprising:

A) one or more nonaqueous solvents:

- 1) acyclic ether (claim 26, dioxolane);
- 2) cyclic ether;
- 3) polyether;
- 4) a sulfone or
- 5) a dimethoxyethane and a dioxolane (claim 27)

and

B) one or more N-O additives;

- 1) inorganic nitrates (claim 11) or (claim 25), specifically lithium nitrate) or claim 16,
- 2) organic nitrates (claim 13),
- 3) inorganic nitrites (claim 12); and
- 4) organic nitro compounds (claim 14)

In response, Applicant elects A(5) - a dimethoxyethane and a dioxolane as the non-aqueous solvent, and B(1) - an inorganic nitrate as the N-O additive. The claims that read on this election are claims 1-11 and 15-27.

### Conclusion

Applicant respectfully requests reconsideration. If there are any issues which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to **Deposit Account No. 19-3878**.

Respectfully submitted,

May 3, 2010  
Date

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